

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 27 1991

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 25 1991 under 56783

The applicant **Glaser Land and Livestock Company**, hereby make application for permission to change the **Point of diversion of a portion water heretofore appropriated under Proof 00409 – Samuel McIntyre Investment Company, page 53 – The Edwards Decree – The Humboldt River Decree No. 2804**

1. The source of water is **Secret Creek and Soldier Creek**
2. The amount of water to be changed **1.1463 c.f.s. 4-15 to 5-15, 0.8191 c.f.s. 5-15 to 8-15**
3. The water to be used for **Irrigation and stockwater**
4. The water heretofore permitted for **Irrigation and stockwater**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, T. 35 N., R. 58 E., MDM at a point from which the NE corner of Section 10, T. 35 N., R. 58 E., MDM bears N. 70°10' E., a distance of 6,989 feet (Randolph Ditch)**
6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T. 35 N., R. 58 E., MDM, as shown on Proof maps of Samuel McIntyre Ranch – Proof 00409. Maps of 1920 and Supplement maps of 1921 – Ditch – Upper Ditch.**
7. Proposed place of use **As Decreed**
8. Existing place of use **As decreed – 1887 – 2.42 harvest acres. 1888 – 7.25 harvest acres, 1889 – 9.67 harvest, 1893 – 15.75 harvest acres, 1894 – 15.75 harves acres, 1897 – 15.76 harvest acres, 1897 – 26.60 diversified pasture acres. All within the N $\frac{1}{4}$ Section 9, T. 35 N., R. 58 E., MDM and a priority from Lamoille Creek 1895.**
9. Use will be from ~~as decreed~~ to **4-15 to 8-15** of each year.
10. Use was permitted from ~~as decreed~~ to **4-15 to 8-15** of each year.
11. Description of proposed works **Dam and control works**
12. Estimated cost of works _____
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **This application is made in order to comply with the conditions as they are today and an order of the State Engineer.**

By **s/ William A. Nisbet Agent**
421 Court St.
Elko, NV 89801

Compared ag/ cmf ag/ cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of Secret Creek and Soldier Creek as heretofore appropriated under Proof 00409 as appears in the Humboldt River Decree No. 2804 entered October 20, 1931 and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.1463 cubic feet per second, but not to exceed 219.75 acre-feet per season as designated by decree, and not to exceed a seasonal duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 4, 2005

Proof of completion of work shall be filed on or before:

June 4, 2005

Water must be placed to beneficial use on or before:

May 4, 2006

Proof of the application of water to beneficial use shall be filed on or before:

June 4, 2006

Map in support of proof of beneficial use shall be filed on or before:

June 4, 2006

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of May, A.D. 2004


State Engineer

Completion of work filed DEC 22 2004

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____